

REMARKS

This paper is in response to the final Office Action dated January 12, 2004. By this paper, claim 1 is amended. Accordingly, claims 1-6 are pending upon entry of this amendment.

Response to Rejection of Claims 1-6

The claims in the application stand rejected on art-based grounds in light of Hirose (U.S. Patent No. 6,171,543), by itself, or via the combination of Kreis (U.S. Patent No. 5,609,004) in view of Vollrath (U.S. Patent No. 4,850,638). Claim 1 is broadly directed to a combination of an automotive part and a clip house adapted to provide a mounting attachment to secure the automotive part to a corresponding mounting member of an automotive structural part member. The automotive part is comprised of an upper or top show surface and a side show surface extending downward from the top show surface from a juncture formed between the top show surface and the side show surface. A first support member of the clip house connects the clip house to the part at the juncture. More particularly, claim 1, as amended, is directed to a combination of an automotive part and a clip house comprising, *inter alia*::

a plastic automotive part and a clip house member connected to said part, . . . said plastic automotive part comprising a top show surface situated entirely above said clip house member and a side show surface connected to said top show surface and extending downward from said top show surface from a juncture formed between said top show surface and said side show surface, said clip house comprising a first support member connected to said plastic automotive part at said juncture.

Claim 1 has been amended to clarify that the top show surface is situated entirely above said clip house member and that the side show surface extends downward from a juncture formed between the top show surface and the side show surface. Applicant submits that claim 1 is novel and patentable over the references of record because the cited art does not show or suggest a plastic automotive part comprising a top show surface situated entirely above said clip house member as required by claim 1.

Hirose discloses a rocker panel 210, having a top portion 230, a front portion 232 and a bottom portion 234, connected to a clip house mounting structure 216. (Hirose, col. 5, lines 45-53; Figure 3). A rib 262 and juncture 263 are provided between the front portion 232 and bottom portion 234 in Hirose. In Item 4, the Office Action construes the top portion 230 and front portion 232 as a combined unit and alleges that the juncture 263 and rib 262 are therefore between the combined “top portion 230, 232” and the “side portion 234”. However, this combined “top portion 230, 232” is clearly not situated entirely above the clip house member as required by claim 1. Nowhere does Hirose teach or suggest placing the juncture 263 or rib 262 between the top portion 230 and front portion 232 as in Applicant’s invention. Connecting the first support member of the clip house member at the juncture between the top show surface situated above the clip house member and the side show surface extending downward from the top show surface “provides a fulcrum located between the top surface of the rocker panel and its side show surface to allow for bending action around this juncture connected to said plastic automotive part at said juncture” and minimizes sagging of the part. (Specification, paragraph 25). Thus, the claimed invention has a substantial advantage not contemplated by the cited art.

The assertions presented in Item 4 of the Office Action with respect to the functional language in claim 1 are moot to the extent that Applicant relies on the feature of the juncture between the top show side situated entirely above the clip house member and side show side surface to patentably distinguish over the applied Hirose reference.

The assertions also presented in item 4 of the Office Action with respect to claim 5 and the “unitary molded structure” process is moot to the extent that Hirose fails to teach or render obvious each and every feature recited in claim 1, from which claim 5 depends, as discussed above.

Kreis discloses an end part 3 for insertion into a longitudinal automotive beam 1. Fastening elements 7, 9, 11 are provided on an outside wall 5 of the end part 3 to secure additional components to the elements if desired, whereby each of the elements are offset slightly from an outside edge of the end part 3 to accommodate insertion of the end part 3 into the beam 1 (Figure 1). Hollow cylinders 13, 14 are optionally provided as additional

fastening means to receive bumper mounts, for example (col. 5, lines 15-25). Reinforcing walls 15 are provided on the interior of the end part 3. The beam 1 of Kreis thus fails to have the top show surface, side show surface or juncture therebetween as recited in claim 1 of Applicant's invention. The Examiner construes the claimed "top show surface" and "side show surface" as corresponding to "the outer wall, reference #6, on the right hand side of the figure" and the "outer wall, reference #6, at the bottom of the figure." Clearly, Kreis does not teach or suggest an automotive part and a clip house comprising a top show surface situated entirely above a clip house member and a side show surface connected to said top show surface and extending downward from said top show surface from a juncture formed between said top show surface and said side show surface as required by claim 1.

To be sure, Vollrath discloses a body frame that can be composed of light metal castings or plastic. However, there is no hint or suggestion found therein pertaining to automotive trim part show surfaces or to structural combinations used to attach those trim parts to auto mounting members to inhibit sagging along the elongated part in those locations between neighboring clip house members. Thus, Vollrath cannot cure the deficiencies of Kreis.

Accordingly, claim 1 is not anticipated by or made obvious by the cited references and favorable consideration of claim 1 is respectfully requested. Claims 2-6, depending directly or indirectly from claim 1, are submitted as patentable over the cited references for at least the same reasons.


Conclusion

In view of the remarks made herein, Applicant submits that the claims presented herein are patentably distinguishable from the art applied and prompt allowance of the application is respectfully requested.

Should the Examiner determine that anything else is desirable to place this application in even better form for allowance, the Examiner is respectfully requested to contact the undersigned by telephone.

Respectfully Submitted,

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Bruce E. Peacock,
USPTO Reg. No. 28,457